

**DECLARATION
Utility Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **TRAY FOR SELECTABLY HEATING OR COOLING THE CONTENTS OF THE TRAY**, the specification of which

(Check One) ☒ is attached hereto.
☐ was filed on _____ and was assigned United States Application Serial No. _____ or PCT Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

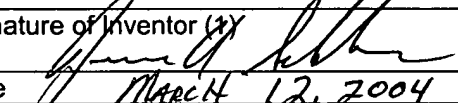
	FULL NAME OF INVENTOR (1)	FIRST Name James	MIDDLE Initial A.	LAST Name Scudder	
	RESIDENCE & CITIZENSHIP	City Poway	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	15968 Grey Stone Road	City Poway	State or Country California	Zip Code 92964

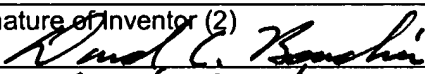
	FULL NAME OF INVENTOR (2)	FIRST Name David	MIDDLE Initial C.	LAST Name Boucher	
	RESIDENCE & CITIZENSHIP	City San Diego	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	1844 Washington Place	City San Diego	State or Country California	Zip Code 92103

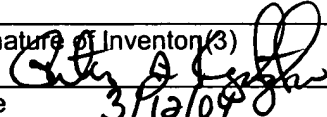
	FULL NAME OF INVENTOR (3)	FIRST Name Peter	MIDDLE Initial J.	LAST Name Kapitzke	
	RESIDENCE & CITIZENSHIP	City Poway	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	12245 Witt Road	City Poway	State or Country California	Zip Code 92064

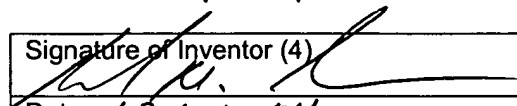
	FULL NAME OF INVENTOR (4)	FIRST Name Kenneth	MIDDLE Initial M.	LAST Name Sanderman	
	RESIDENCE & CITIZENSHIP	City Lakeside	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	9719 Caraway Ct.	City San Diego	State or Country California	Zip Code 92040

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor (1)	
Date	MARCH 12, 2004

Signature of Inventor (2)	
Date	MARCH 12-04

Signature of Inventor (3)	
Date	3/12/04

Signature of Inventor (4)	
Date	12 MARCH 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James A. Scudder, et al.)	Group Art Unit: Not Yet Known
)	
Serial No.: N/A)	Examiner: Not Yet Known
)	
Filed: N/A)	
)	
Title: TRAY FOR SELECTABLY HEATING)	
<u>OR COOLING THE CONTENTS</u>)	

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
AND REVOCATION OF PRIOR POWERS**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, **James Scudder**, Chief Operating Officer of Ontech LLC, the Assignee of the entire interest of the above-identified application, hereby revoke all powers of attorney previously given, if any, and appoint the following registered patent attorneys, who are all licensed to practice law in the State of California, to prosecute and transact all business in the Patent and Trademark Office connected with the above-identified application:

James K. Sakaguchi Reg. No. 41,085

Neal M. Cohen Reg. No. 41,683

Please address all future correspondence to Mr. Sakaguchi at the following address:

James Sakaguchi
Customer No. 23,410

Ontech LLC is the owner of this application by reason of an assignment which is being filed herewith for recordation. In conformance with 37 CFR § 3.73(b), I hereby certify that all documents in connection with the chain of title have been reviewed, and to the best of my knowledge all right, title and interest is in Ontech LLC, the above-identified Assignee.

Assignee of interest:	Ontech LLC
Address:	13400 Sabre Springs Parkway, Suite 270, San Diego, CA 92128
Recorded in PTO:	Submitted for recordation herewith

Date: MARCH 12, 2004


James A. Scudder
COO, Ontech LLC